

ORIGINAL

BEFORE THE
FEDERAL ELECTION COMMISSION

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American Democracy Legal Fund,

Complainant

v.

Republican National Committee et al.,

Respondents

MUR 6888

OFFICE OF SECRETARY
OF THE FEDERAL ELECTION
COMMISSION

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COMMISSION

**RESPONSE OF KAREN C. HANDEL AND HANDEL FOR SENATE, INC. TO
SUPPLEMENTAL COMPLAINT OF AMERICAN DEMOCRACY LEGAL FUND**

On October 14, 2014, it appears that Complainant American Democracy Legal Fund ("ADLF") filed a complaint against six respondents in this matter, alleging that based on ADLF's review of "numerous recent press reports and public admissions," the respondents had violated provisions of federal election law regarding coordinated communications. Complaint, pp. 1-2. On November 14, 2014, Karen C. Handel received a copy of the Supplemental Complaint of ADLF, which adds allegations and names additional respondents with respect to those new allegations, including Handel and/or Handel for Senate, Inc. (collectively "Handel").

The Supplemental Complaint charges that federal candidates who used the services of one of the respondents (i360) after it formed a partnership with another respondent (The Data Trust) also violated federal election law regarding coordinated communications. In a nutshell, ADLF charges that after i360 and The Data Trust formed its partnership in August 2014, the campaigns and parties named in the Supplemental

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Complaint took advantage of upgrades allegedly resulting from that partnership between i360 and The Data Trust and thus engaged in illegal coordinated communications. Supp. Complaint, pp. 6-7

However, by ADLF own admission, the partnership upon which ADLF relies did not exist until August 28, 2014. Supp. Complaint, p. 6 and fn. 2. That date was more than 3 months after the Handel campaign ended. Affidavit of Karen C. Handel, attached as Exhibit 1, ¶ 4.

In deciding who to name in its Supplemental Complaint, ADLF admittedly simply ran a report of the i360 users and then lodged the Supplemental Complaint against them. Supp. Complaint, p. 6. ADLF apparently did not make the most basic effort to ascertain which federal candidates were even still in their respective races at the time the alleged partnership between i360 and The Data Trust commenced. If ADLF had done so, it would have discovered that the Handel campaign ended months before the date on which ADLF contends data sharing allegedly occurred between i360 and The Data Trust and allegedly benefitted campaigns, including the Handel for Senate campaign – which was defunct. Handel Aff., ¶¶ 4, 7-8.

In summary, ADLF contends in its Supplemental Complaint that the campaigns and state parties named engaged in illegal coordinated communications after the partnership between i360 and The Data Trust began. Handel was no longer a candidate and Handel for Senate was no longer a campaign using i360 at that time – a fact that had existed for months before the formation of the partnership about which ADLF complains. Handel Aff., ¶ 6.

WHEREFORE, Karen Handel and Handel for Senate, Inc. respectfully request that she be dismissed from the Supplemental Complaint and that the Commission award her attorneys' fees incurred in responding to ADLF's frivolous complaint against her and her campaign.

This 1st day of December, 2014.

STRICKLAND BROCKINGTON LEWIS LLP



Anne W. Lewis
Georgia Bar No. 737490

1170 Peachtree Street, NE
Midtown Proscenium, Suite 2200
Atlanta, GA 30309
T: 678-347-2200
F: 678-347-2210
awl@sbllaw.net

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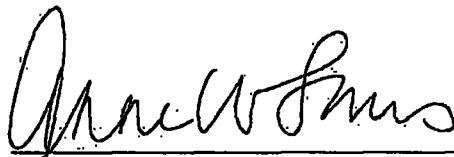
CERTIFICATE OF SERVICE

I hereby certify that on this date I served a true copy of the foregoing **RESPONSE OF KAREN C. HANDEL AND HANDEL FOR SENATE, INC. TO SUPPLEMENTAL COMPLAINT OF AMERICAN DEMOCRACY LEGAL FUND** by first class mail with appropriate postage attached thereto upon the following:

Brad Woodhouse
Treasurer
American Democracy Legal Fund
455 Massachusetts Avenue, NW
Washington, DC 20001

with a copy to all Respondents listed on Supplemental Complaint.

This 1st day of December, 2014.



Anne W. Lewis
Georgia Bar No. 737490

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